

Notice of Allowability

Application No.

09/242,210

Examiner

Cristina Owen Sherr

Applicant(s)

GRAVELL ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to BPAI decision 09/29/05.
2. ☒ The allowed claim(s) is/are 9-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 02/27/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. This communication is in response to the Board of Patent Appeals and Interferences' DECISION ON APPEAL, mailed September 29, 2005. Claims 1 and 9-18 are pending in this case.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on February 27, 2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Examiner's Amendment

3. An Examiner's amendment to the record, pursuant to the Board of Patent Appeals and Interferences' DECISION ON APPEAL, referenced above, appears below. Should the changes and/or additions be unacceptable to Applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. The application has been amended as follows:
Claim 1 is canceled.

Reasons for Allowance

The following is an Examiner's statement of reasons for the indication of allowable subject matter:

5. The closest prior art of record shows:
(1) Whitehouse (US 6,005,945) discloses a system and method for dispensing postage based on telephonic or web milli-transactions.

(2) Kara (US 5,822,739) discloses a system and method for remote postage metering.

(3) Krsul et al (EP 0 833 285 A2) disclose a method and product for generating electronic tokens.

(4) Sansone et al (US 4,725,718) disclose a postage and mailing information system.

(5) Edelman et al (US 4,775,246) disclose a system for detecting unaccounted for printing in a value printing system.

(6) Wright et al (US 4,802,218) disclose an automated transaction system.

(7) Sansone et al (US 4,831,555) disclose an unsecured postage applying system.

(8) Information Based Indicia Program (IBIP) Open System Indicium Specification (Prepared for: The United States Postal Service, July 23, 1997).

6. Applicant's set of claims consists of claims 9-18.

7. Independent claim 9 is directed toward a data center communicatively coupled to a remote processor via a network. This claim identifies the uniquely distinct feature of the use and location of first, second, and third keys for validation procedure. Because nothing in the prior art teaches or suggests of the use and location of first second and third keys for validation procedure, independent claim 9 and its dependent claims 10-13 are deemed allowable.

8. Impendent claim 14 is directed toward a method for performing a postage evidencing transaction. This claim identifies the uniquely distinct feature of the use and

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location of first, second, and third keys for validation procedure. Because nothing in the prior art teaches or suggests of the use and location of first second and third keys for validation procedure, independent claim 14 and its dependent claims 15-18 are deemed allowable.

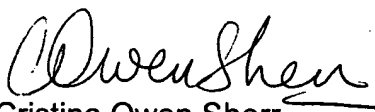
9. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

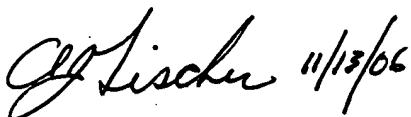
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cristina Owen Sherr whose telephone number is 571-272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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Patent Examiner, Au 3621


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